



Oregon

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April 13, 2012

Ms. Christy Brown
Project Manager
U.S. EPA Region 10 [AWT-121]
1200 Sixth Avenue Suite 900
Seattle, WA 98101-3140

Re: Response to EPA March 29 Comments on the
Informal Review Draft of the Lockheed Martin
The Dalles Facility Post-Closure Permit
ORD 052 221 025

Dear Ms. Brown:

Thank you for submitting the Region 10 RCRA comments as requested. The timeliness of your submittal will help DEQ issue a final permit decision by the scheduled date of September 30, 2012.

We have thoroughly reviewed your comments and Enclosure A is a matrix which outlines whether we concur or differ in whether the comment needs to be included. We need additional clarification on some of the comments in order to determine exactly what EPA's intent was. Also included in the matrix are updates that I emailed to you on March 20. Enclosure B shows the underlines and strikeouts in response to EPA comments. A draft version of the permit that includes the underlines and strikeouts can be found at the DEQ ftp server at:

<ftp://deqftp2.deq.state.or.us/fmoore/Apr132012DraftLockheedMartinPermitPublicComment.pdf>.

Please note that in reviewing the comments, we paid close attention to the following issues. One was our desire to create a streamlined permit that addressed the relevant issues at the site that could be easily understood by the permittee, the public, future permit writers and still be protective of human health and the environment. Another was our desire to implement the State's plain language requirements in our permits. DEQ also wanted to maintain consistency with a previously issued post-closure permit (Permapost issued in 2008).

DEQ is committed to a timely permit issuance to meet the September 30, 2012 date. In order to do so, both DEQ and EPA should meet soon to resolve any outstanding significant issues. DEQ proposes that we meet face-to-face and that an in-between location might serve all that attend. Portland may be a good choice for this. A second choice, if time and resources are a problem, is that DEQ would travel to the EPA Oregon Operations office and use its video conferencing capability.

I propose that we meet in early May for the permit issuance to stay on track. For this meeting, DEQ requests EPA submit to DEQ the following information prior to the meeting:

1. A list of those who will be attending from EPA (and of course DEQ will provide the same);
2. A list of those EPA comments on which DEQ differs with EPA which EPA would submit formal written comments during the formal comment period on if not satisfactorily resolved prior to the start of the public comment period. This will help prioritize our discussion.

Also enclosed with this letter is Enclosure C which is an updated statistical memorandum from ARCADIS. ARCADIS reviewed an extra year's worth of data and evaluated the Region 10 March 29 statistical comments. DEQ is having its statistical expert review the update and write a memorandum with findings. Once that memorandum is finalized I will forward it to you.

For any information or material you might need in review of DEQ's response, please do not hesitate to contact me and I'll be sure to send you any materials you may request as soon as possible. Please contact me at 541-633-2011 or at moore.fredrick@deq.state.or.us.

Sincerely,



Fredrick Moore
Permit Writer
Eastern Region Hazardous Waste Program

Enclosures

Copies to: Harry Craig, U.S. EPA Region 10 [Portland]
Sarah Wheeler, DEQ OCE [Headquarters]
Bill Bath, Lockheed Martin [Burbank, CA]
Connie Cole, ARCADIS [Helena, MT]

Enclosure A

DEQ Matrix Responding to EPA Comments and Listing Updates to Draft Permit

Comment No.	Comment Summary	Concur	Differ	Clarification Requested	Citation and/or DEQ Comment
DEQ Response to EPA March 29 Comments					
1	Listed 40 CFR 264 permit conditions should be included in the permit.		✓		§270.28 identifies the required submittals for a Part B post-closure permit. Some of the information requested to be put back in the permit are not required to be submitted and/or are not relevant to this post-closure permit. If it is agreed that these permit conditions are not needed, DEQ will revise The Statement of Basis to explain why these sections of the previously issued permit changed. §264.147(e) Liability insurance is not required if the facility has a certified closure.
2	Lockheed permit should use citation reference used in the Umatilla permit.		✓		Applying DEQ's plain language policy to the Umatilla example improves the understandability of the language.
3	The permit should require the permittee to maintain listed 40 CFR 264 documents at the facility.		✓		§270.28. Also, cost estimates and CERCLA requirements covered elsewhere in the permit. Correction made to permit condition II.I.4. See enclosure B-1.
4	Permit condition II.B.2 should include generator et al. 40 CFR standards.		✓		Generator et al. standards are not usually included in a HW permit and the condition as is describes how they manage the leachate at the site.
5	The permit condition must meet §264.14 and not use the word "gap."	✓			See enclosures B-2 and B-3.
6	EPA is concerned about the RCRA landfill fence and cover.	✓			DEQ is onsite at least annually and does inspect the cover and landfill. The RCRA landfill fence and cover are in currently in good condition. The same natural environment that impacts the scrubber pond fence is not present at the RCRA landfill.
7	The permit should include personnel training conditions.		✓		§270.28
8	Permit condition II.E.3 should list conditions when the employee must contact the permittee.	✓			See enclosure B-4.
9	The permit should include a requirement to make arrangements with local		✓		§270.28. The permittee has requested a waiver to the Preparedness and Prevention requirements and DEQ intends to approve most of the waiver per the permit decision that will not include a requirement to make

Comment No.	Comment Summary	Concur	Differ	Clarification Requested	Citation and/or DEQ Comment
	authorities.				arrangements with local authorities.
10	The permit should include a requirement for a contingency plan.		✓		§270.28
11	The permit should include a requirement for 3 rd party liability financial assurance.		✓		§264.147(e)
12	Typographical error in permit condition II.J.	✓			See enclosure B-1.
13	Section III.A should delineate more the difference between the RCRA landfill and CERCLA units.			✓	Current language does not seem confusing. Perhaps EPA can provide example wording.
14	The permit should include generator requirements if the permittee becomes a small quantity generator.		✓		DEQ's intention is not to impose generator requirements on the permittee. Generally, generator requirements are not included in a HW permit.
15	The permit should include an as-built report for the RCRA landfill.		✓		It is permissible and usual that a permit references a standalone document.
16	The use of "may" as used in Statement of Basis discussing the aquifer beneficial use and its relation to the groundwater detection monitoring program is not relevant.			✓	DEQ does believe the aquifer's beneficial use does have relevance. Perhaps EPA can provide example wording and clarification.
17	More frequent sampling is necessary to reevaluate the upper prediction limits.			✓	ARCADIS updated their statistical memo addressing previous EPA comments and included an additional years worth of data. However, the permittee did conduct quarterly and semi-annual sampling when the wells were drilled and developed. The permittee has many years worth of independent data from their groundwater monitoring activities. The Department intends to allow them to use all that data to reevaluate their upper prediction limits. Can EPA clarify more specifics regarding this comment? Is it EPA's position that the past data is not useable in deriving an upper prediction limit?
18	Permit condition IV.C should exactly define what statistical guidance will be used to update the upper prediction limits in four		✓		DEQ encourages permittees to utilize EPA's Unified Guidance but cannot predict what useable technical and statistical guidance will be available in the future, and, does not want to unnecessarily limit what would otherwise be justifiable technical and statistical tools.

Comment No.	Comment Summary	Concur	Differ	Clarification Requested	Citation and/or DEQ Comment
	years time.				
19	DEQ must evaluate the groundwater detection monitoring program in regards to interwell/intrawell, MW-5, control charts, and upgradient issues.		✓		See #17 above.
20	Permit condition V.C.5 should require runoff design plans and operating practices be included in the permit.		✓		Design plans are rudimentary equations in a past Part B application and construction drawings. A permit condition stating that the permittee must keep a runoff ditch clear and operating is sufficient.
21	The vacuum system at the RCRA landfill should have operating requirements in the permit. See permit condition V.C.6.		✓		DEQ does not require the permittee to use the vacuum system, and as such, there is not a need for operating requirements. However, DEQ has changed some of the language to address abandonment. See enclosure B-5.
22	Section V.E should include specific generator language.		✓		See #14 above.
23	Permit should include figures with groundwater gradients.	✓			See enclosures B-6, B-7 and B-8.
24	A description of the wet test used during inspections should be included.	✓			See enclosures B-9 and B-10.
25	Post-Closure Plan should be substantially edited to avoid duplication, or at a minimum be reviewed for inconsistencies.		✓		DEQ has reviewed the post-closure plan for inconsistencies and finds it adequate.
Total		5	18	2	
UPDATES TO PERMIT FROM MARCH 20 EMAIL					
1	Add "40 CFR" to permit condition I.E.3.b.				See enclosure B-11.
2	Delete "significant" and delete "incorporation of the new object" with "change" at permit condition I.E.12.				See enclosure B-12.
3	Add summary table in Inspection				See enclosure B-13.

Comment No.	Comment Summary	Concur	Differ	Clarification Requested	Citation and/or DEQ Comment
	Plan				
4	See Comment #8 above.				
5	Delete "secondary containment" from permit condition V.E.1.				See enclosure B-14.
6	Delete "sludge" and replace with "soils remaining after sludge was excavated" at page 48.				See enclosure B-15.
7	Add description of wet test to Inspection Plan.				See comment #24 above.
8	Add that debris will be removed on inspection form.				Inspection form seems fine.
9	ARCADIS statistical memo should include power curves.				Will be addressed by DEQ review of ARCADIS update submittal.
10	ARCADIS statistical memo should include missing equations.				See enclosure C.
11	Include figures to show groundwater gradients				See comment #23 above.

ENCLOSURE B

UNDERLINES, STRIKEOUTS AND ADDITIONS

ENCLOSURE C

ARCADIS MEMORANDUM ESTABLISHING UPPER PREDICTION LIMITS DATED APRIL 10, 2012

- II.I.2. The Permittee must adjust the post-closure and corrective action cost estimate for inflation within 60 days prior to the anniversary date of the establishment of the financial instrument used to comply with 40 CFR 264.145, as modified by OAR 340-104-0145, along with 40 CFR 264.101 and Permit Condition II.J. [40 CFR 264.144]
- II.I.3. The Permittee must revise the post-closure cost estimate whenever there is a change in operation or maintenance that would alter the cost estimate at either the hazardous waste landfill or the CERCLA units.
- II.I.4. The Permittee must keep the latest post-closure and corrective action cost estimates at the location specified at Permit Condition I.E.7.a. [40 CFR 264.144(d) & 264.101]
- II.I.5. Decreases in the total costs for either the post-closure care for the hazardous waste landfill or the corrective action cost for the CERCLA units must be approved in writing by the Manager.

II.J. FINANCIAL ASSURANCE FOR FACILITY POST-CLOSURE AND CORRECTIVE ACTION

The Permittee shall demonstrate continuous compliance with 40 CFR 264.145, as modified by OAR 340-104-0145, and 40 CFR 264.101, by providing documentation of financial assurance. The Permittee must provide the documentation to the Manager within 60 days of when the Permittee makes the cost estimate made in accordance with Permit Condition II.J. Such documentation must be consistent with 40 CFR 264.151, as modified by OAR 340-104-0151, and the amount of financial assurance covered by the instrument must be at least the amount of the cost estimates required by Permit Condition II.I. Changes in financial assurance mechanisms must be approved by the Manager.

II.K. INCAPACITY OF OWNERS OR OPERATORS, GUARANTORS, OR FINANCIAL INSTITUTIONS

The Permittee shall comply with 40 CFR 264.148, whenever necessary.

II.L. EQUIVALENT MATERIALS/INFORMATION

If certain equipment, materials, procedures, and administrative information (such as names, phone numbers, addresses) are specified in this Permit, the Permittee is allowed to use an equivalent or superior replacement, addition, alteration, etc.,. Use of such equivalent or superior items shall not be considered a modification of the Permit. However, the Permittee must submit to the Manager the revision, accompanied by a narrative explanation and the date the revision became effective. Upon review of the revision, if deemed necessary, the Manager may

SECTION II – GENERAL FACILITY CONDITIONS

II.A. DESIGN AND OPERATION OF FACILITY

The Permittee shall maintain and operate the facility to minimize the possibility of a fire, explosion, or any unplanned, sudden or nonsudden release of hazardous waste constituents to air, soil, or surface water which could threaten human health or the environment. [40 CFR 264.31]

II.B. REQUIRED NOTICES AND PROHIBITION OF ACCEPTING HAZARDOUS WASTE

II.B.1. Hazardous Waste from Offsite Sources

The Permittee is prohibited from accepting hazardous or solid waste from offsite. [ORS 466.180, CFR 270.32(b)(2)]

II.B.2. Hazardous Waste Generated Onsite

The Department notes that the leachate generated from the hazardous waste post-closure landfill goes to the CERCLA leachate tank for treatment. This unit is located onsite, on Lockheed Martin property, within the former Northwest Aluminum property boundaries. The leachate must either be discharged in accordance with an approved NPDES water quality permit, or, be manifested offsite as a K088 hazardous waste in accordance with land disposal restriction rules found at 40 CFR Part 268.

II.C. SECURITY

II.C.1. Security Procedures at the Hazardous Waste Landfill

- II.C.1.a. The Permittee shall maintain the hazardous waste landfill fence in good order ~~by not allowing gaps in the fence getting larger to prevent the entry of persons and livestock~~, maintaining the three-strand barbwire at the top of the fence and conducting an annual assessment and removal of brush at the fence line.
- II.C.1.b. The Permittee shall keep the fence gate continuously closed and locked except during times of monitoring and maintenance.
- II.C.1.c. The Permittee shall maintain a minimum of four signs with a minimum of one sign at each of the four sides such that the warning "Danger Unauthorized Persons Keep Out" is both in English and Spanish and can be read from a distance of 25 feet.

II.C.1.d. The Permittee shall maintain all other locks at use at the hazardous waste landfill in good working order.

II.C.2. Security Procedures at the CERCLA Landfill, CERCLA Tank and Scrubber Ponds

II.C.2.a. The Permittee shall maintain the CERCLA landfill, CERCLA tank and scrubber ponds fences in good order ~~by not allowing gaps in the fence getting larger~~ to prevent the entry of persons and livestock, maintaining the three-strand barbwire at the top of the fence and conducting an annual assessment and removal of brush at the fence line.

II.C.2.b. The Permittee shall keep the fence gates at the CERCLA landfill CERCLA tank and scrubber ponds continuously closed and locked except during times of monitoring and maintenance.

II.C.2.c. The Permittee shall maintain a minimum total of 10 signs at the CERCLA landfill, and a minimum total of 9 signs at the scrubber sludge ponds, such that the signs have an effective equidistant spacing around the perimeter fences. The signs must have the warning "Danger Unauthorized Persons Keep Out" both in English and Spanish and can be read from a distance of 25 feet.

II.C.2.d. The Permittee shall maintain all other locks at use at the CERCLA units in good working order.

II.C.2.e. The Permittee shall install a fence that will enclose the CERCLA tank and CERCLA utility building by [insert date].

II.D. GENERAL INSPECTION REQUIREMENTS

The Permittee shall follow the inspection schedule set out in Attachment A of this Permit. The Permittee shall remedy any deterioration or malfunction discovered by an inspection in accordance with 40 CFR 264.15(c). Records of inspection shall be kept, in accordance with 40 CFR 264.15(d) and Attachment A of this Permit.

II.E. PREPAREDNESS AND PREVENTION

In the January 4, 2010, Part B Permit Renewal Application, the Permittee requested a waiver from the preparedness and prevention requirements in accordance with 40 CFR 270.14(b)(6). The Department agrees that most of the preparedness and prevention requirements at 40 CFR 264 Subpart C are not necessary. However, some preparedness and prevention is necessary for spills. Therefore, the Permittee shall comply with Permit Conditions II.E1., II.E.2. and II.E.3.

II.E.3. Access to Communications and Alarm System

The Permittee shall maintain access to the leachate tank alarm system and any employee performing inspection, operation and maintenance within the hazardous waste facility must have a cellular phone able to communicate with either Permittee. The employee must contact the Permittee in such emergencies, but not limited to, as fires, landfill or tank failure, power outage, etc.
[40 CFR 264.34]

II.E.4. Responding to Emergencies

The Permittee shall respond to emergencies. Such emergencies include, but are not limited to, fires, landfill or tank failure, power outage, etc.

II.F. MANIFEST SYSTEM

The Permittee shall comply with the manifest requirements of 40 CFR 264.71(b).

II.G. RECORDKEEPING AND REPORTING

The Permittee shall comply with the reporting requirements of OAR-104-0075.

II.H. GENERAL CLOSURE REQUIREMENTS

If the Manager receives any new information indicating that the current closure construction no longer meets the performance standard of 40 CFR 264.111, then the Manager may modify the Permit in accordance with 40 CFR 270.41. Such a modification could include a redesign of the current in-place construction of the landfill and ancillary equipment (tank, piping, etc.).

II.I. COST ESTIMATE FOR POST-CLOSURE CARE AND CORRECTIVE ACTION

- II.I.1. Upon the final effective date of this Permit, the Permittee must continue to provide financial assurance for post-closure for the hazardous waste landfill and for post-closure (corrective action) for the CERCLA units identified in Section VI of this Permit. The current amount for post-closure for these two landfills, as of [\$\$\$insert date of permit issuance] is [insert current amount].

The financial assurance amount for post-closure care for the hazardous waste landfill is [insert current amount]. [40 CFR 264.144]

The financial assurance amount for operation and maintenance at the CERCLA units is [insert current amount] . [40 CFR 264.101]

- V.C.2. The Permittee shall maintain the landfill as to prevent the migration of any hazardous constituents into the groundwater or surface water.
[40 CFR 270.32(b)(2)]
- V.C.3. The Permittee shall maintain a run-on control system by maintaining the six perimeter pipes, maintaining adequate flow at the landfill's perimeter ditch and keeping the outfall culvert clear of debris.
[40 CFR 264.301(g)]
- V.C.4. The Permittee shall maintain a run-off management system by maintaining adequate flow at the landfill's perimeter ditch and keeping the outfall culvert clear of debris. The Permittee shall operate and maintain the run-off management system to collect and control at least the water volume resulting from a 24-hour, 25-year storm. [40 CFR 264.301(h)]
- V.C.5. The Permittee shall manage run-on and run-off collection facilities to maintain the design capacity of the system in accordance with the design plans found in the ARCADIS RCRA Part B Application dated May 29, 1998.
[40 CFR 264.301(h)]
- V.C.6. The Permittee may use a vacuum system at the landfill to provide ambient carbon dioxide to lessen the cyanide toxicity and to dry the landfill mass to lessen the hydraulic head. If not to be used, the vacuum system and its ancillary equipment must be removed from the landfill and the landfill air vents must be open.

V.D. INSPECTION SCHEDULES AND PROCEDURES

The Permittee shall inspect the landfill in accordance with the following Conditions:

- V.D.1. The Permittee shall inspect the landfill and leachate tank in accordance with the inspection schedule found in Attachment A of this Permit.
[40 CFR 264.303(b)]
- V.D.2. The landfill and leachate tank must be inspected quarterly and after severe weather events to detect evidence of any of the following:
- V.D.2.a. Deterioration, malfunctions, or improper operation of run-on and run-off systems.
- V.D.2.b. The presence of leachate in, and proper functioning of, leachate collection and removal systems.

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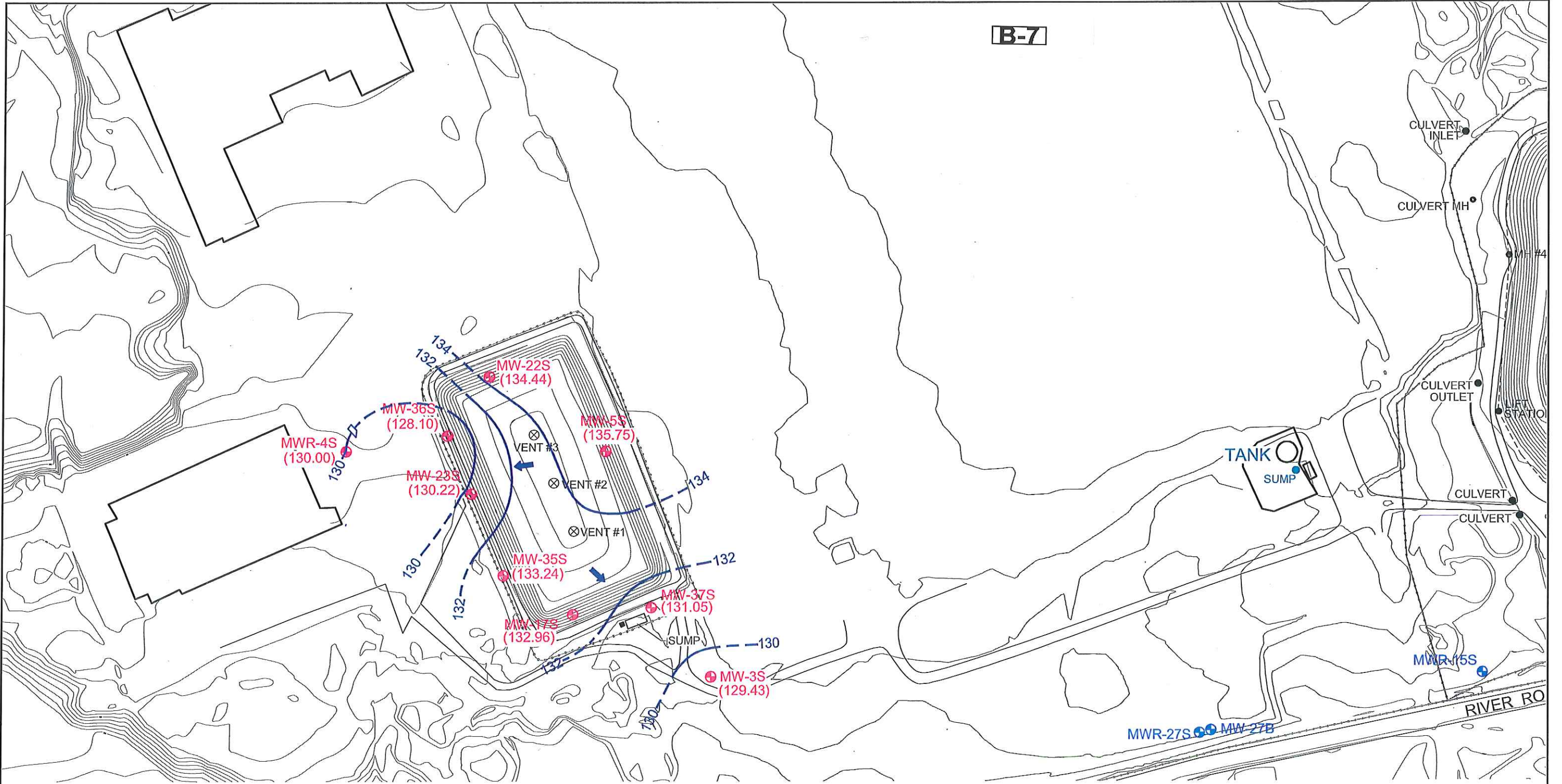
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Attachments

Attachment A • Inspection Plan	
Attachment B • Post-Closure Plan for RCRA Landfill and Plan for CERCLA Units	
Attachment C • CERCLA Requirements	

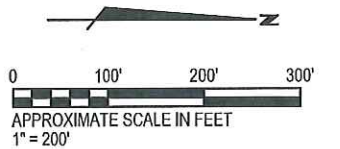
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LEGEND

- MW-41S ● CERCLA LANDFILL MONITORING WELL LOCATION
- MW-37S ● RCRA LANDFILL MONITORING WELL LOCATION
- LINE OF EQUAL GROUNDWATER ELEVATION (S AQUIFER) DASHED WHERE INFERRED
- ↓ GENERAL GROUNDWATER FLOW DIRECTION
- MH #4 ● MANHOLE



RCRA LANDFILL GROUNDWATER ELEVATION MAP S AQUIFER, SEPTEMBER 2011

LOCKHEED MARTIN CORPORATION SITE
THE DALLES, OREGON



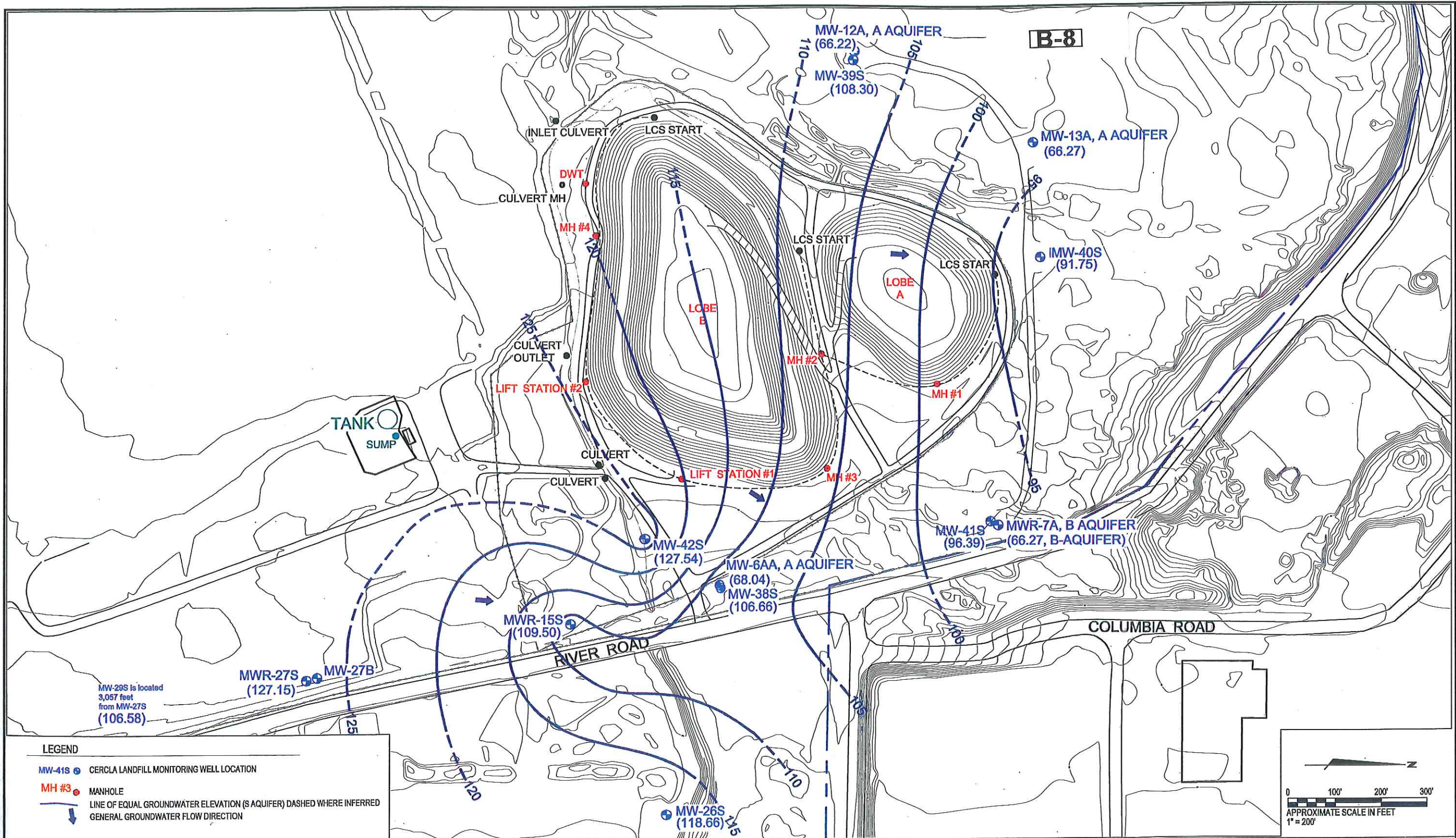
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Project Number
GP000677.0015
Drawing Date
10/20/11
Figure

4

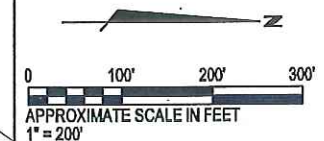
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LEGEND

- MW-41S CERCLA LANDFILL MONITORING WELL LOCATION
- MH #3 MANHOLE
- LINE OF EQUAL GROUNDWATER ELEVATION (S AQUIFER) DASHED WHERE INFERRED
- GENERAL GROUNDWATER FLOW DIRECTION



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CERCLA LANDFILL GROUNDWATER ELEVATION MAP S AQUIFER, MARCH 2011

LOCKHEED MARTIN CORPORATION SITE
THE DALLES, OREGON

Project Number
GP000677.0012

Drawing Date
06/09/11

Figure

5

ARCADIS U.S.
Lockheed Martin Corporation – The Dalles, Oregon
RCRA Landfill Post-Closure Care
Leachate Collection System Inspection Form

Date / Time: _____ Quarter: _____

Inspected by: _____ Signed: _____

Leachate Drum Inspection:

	<u>Yes</u>	<u>No</u>	<u>Remarks</u>
Is leachate stored in drums?	_____	_____	_____
Drums properly marked?	_____	_____	_____
Drum condition OK?	_____	_____	_____

Leak Sump Inspection:

	<u>Yes</u>	<u>No</u>	<u>Remarks</u>
Leachate valve open?	_____	_____	_____
Sump alarm system tested?	_____	_____	_____
Leachate pumped from sump?	_____	_____	_____
If pumped, record gallons:	_____	_____	_____
If pumped to drums, place Hazardous Waste Decal with Start Date _____	_____	_____	_____
Secondary petcock checked?	_____	_____	_____
Quarterly wet test of leak alarm? <i>(see protocol on back page)</i>	_____	_____	_____
Quarterly wet test of high level? <i>(see protocol on back page)</i>	_____	_____	_____

Building and Slab:

	<u>Yes</u>	<u>No</u>	<u>Remarks</u>
Warning signs in place?	_____	_____	_____
Doors locked?	_____	_____	_____
Exit light OK?	_____	_____	_____
Emergency light OK?	_____	_____	_____
Emergency equipment OK?	_____	_____	_____
Roofing and siding OK?	_____	_____	_____
Outside dewatering pump OK?	_____	_____	_____
Concrete slab inspected and OK?	_____	_____	_____
Sump evacuated, inspected & OK?	_____	_____	_____

General remarks and items requiring correction:

Inspection Requirements:

Weekly	Until leachate less than 250 gallons/month
Monthly	Until leachate less than 250 gallons/quarter
Quarterly	Until year 2041 and less than 250 gallons/year

Wet Test Protocol for Hi-Level and Leak Detection Probes

1. Pull up on one of the probes.
2. Place probe in a glass of distilled water.
3. Look at the electronics box on the wall and see if function light is on.
4. Look at outside alarm to see if it is on.
5. Wipe probe dry and lower probe back into position.
6. Do same procedure on other probe.
7. Dispose of wipes in trash receptacle.

herein will remain in full force and effect beyond the Permit's expiration date, if the Permittee has submitted a timely, complete renewal application, and, through no fault of the Permittee, the Department has not issued a new permit. [OAR 340-105-0051]

- I.E.3.b. If the Permittee fails to submit a timely completed application, as required herein, then these Permit terms and conditions necessary to protect human health and the environment will remain in effect beyond the Permit's expiration date until the Department terminates the terms and/or conditions or the Department takes other action to terminate the Permittee's obligation to submit an application or otherwise comply with the terms and/or conditions. [\[40 CFR 270.32\(b\)\(2\)\]](#)

I.E.4. Need to Halt or Reduce Activity Not a Defense

It shall not be a defense for the Permittee, in an enforcement action that it would have been necessary, to halt or reduce the permitted activity in order to maintain compliance with the conditions of this Permit. [40 CFR 270.30(c)]

I.E.5. Duty to Mitigate

In the event of noncompliance with this Permit, the Permittee shall take all reasonable steps to minimize releases to the environment and shall carry out such measures, as are reasonable, to prevent significant adverse impacts on human health or the environment. [40 CFR 270.30(d)]

I.E.6. Proper Operation and Maintenance

The Permittee shall at all times properly operate and maintain all facilities and systems of treatment and control (and related appurtenances) which are installed or used by the Permittee to achieve compliance with the conditions of this Permit. Proper operation and maintenance includes effective performance, adequate funding, adequate operator staffing and training, and adequate laboratory and process controls, including appropriate quality assurance/quality control procedures. This provision requires the operation of back-up or auxiliary facilities or similar systems only when necessary to achieve compliance with the conditions of this Permit. [40 CFR 270.30(e)]

I.E.7. Duty to Provide Information and Location of Records

Background:

When the hazardous waste permit was initially issued in 2000, the Permittee had a field office leased by Northwest Aluminum Company. Starting in 2007, Northwest Aluminum began demolition of the aluminum plant and the plant, major buildings, and the field office have been demolished. The only viable

request of the Manager at any time and are automatically extended during the course of any unresolved enforcement action regarding this facility. The Permittee shall maintain records from all groundwater monitoring wells and associated groundwater surface elevations for the post-closure care period. [40 CFR 264.74(b) and 270.30(j)(2)]

I.E.9.d. Pursuant to 40 CFR 270.30(j)(3), records of monitoring information shall specify:

- i. The dates, exact place, and times of sampling or measurements;
- ii. The individuals who performed the sampling or measurements;
- iii. The dates analyses were performed;
- iv. The individuals who performed the analyses;
- v. The analytical techniques or methods used; and
- vi. The results of such analyses.

I.E.10. Reporting Planned Changes

The Permittee shall give notice to the Manager, as soon as possible, of any planned physical alterations or additions to the permitted facility. [40 CFR 270.30(l)(1)]

I.E.11. Reporting Anticipated Noncompliance

The Permittee shall give advance notice to the Manager of any planned changes in the permitted facility or activity which may result in noncompliance with Permit requirements. [40 CFR 270.30(l)(2)]

I.E.12. Certification of Construction or Modification

Upon completion of any physical alteration or significant change at either the hazardous waste landfill or CERCLA units approved by a permit modification, the Permittee shall send a report, certified by 40 CFR 270.11, that the alteration or ~~incorporation of a new object~~ change meets the requirements of the permit modification and conditions of this Permit.

I.E.13. Transfer of Permits

This Permit may only be transferred as a Class 3 permit modification. [40 CFR 270.40 as modified by OAR 340-105-0040]

SUMMARY INSPECTION TABLE

<u>INSPECTION</u>	<u>HOW OFTEN</u>
<u>RCRA LANDFILL</u>	
<u>Cover</u>	<u>Annually</u> <u>Done in June</u>
<u>Fences and Gates</u>	
<u>Drainage System</u>	
<u>Cap Drain Discharge Pipes</u>	
<u>Gas Vent System and Lightning Rods</u>	
<u>RCRA LEACHATE</u>	
<u>Drum Inspection</u>	<u>Quarterly</u> <u>Done in March, June, September and December</u>
<u>Tank Inspection</u>	
<u>Building and Slab</u>	
<u>RCRA SURVEY BENCHMARKS</u>	
<u>At the Four Corners and Gate</u>	<u>Starting in Feb. 2012 and 4½ Years Thereafter</u>
<u>CERCLA LANDFILL</u>	
<u>Cover</u>	<u>Annually</u> <u>Done in June</u>
<u>Fences and Gates</u>	
<u>Drainage System</u>	
<u>Area Adjacent to Landfill</u>	
<u>CERCLA LEACHATE</u>	
<u>Pumps, Alarms and Piping Obstruction</u>	<u>Quarterly</u> <u>Done in March, June, September and December</u>
<u>Visual Inspection of 300,000 Gallon Tank</u>	<u>Annually</u> <u>Done in June</u>
<u>Visual Inspection of 4,700 Gallon Tank</u>	
<u>Double-walled Pipe Alarm Tested</u>	
<u>SCRUBBER SLUDGE PONDS</u>	
<u>Soil Cover</u>	<u>Annually</u> <u>Done in June</u>
<u>Drainage System</u>	
<u>Fences and Gates</u>	
<u>Area Adjacent to Scrubber Sludge Ponds</u>	

Note: Severe weather events are those that are either determined by the Permittee, or, that DEQ has provided written notification, in accordance with the Inspection Plan, that a severe weather incident has occurred.

V.E. CONDITIONALLY EXEMPT GENERATOR LEACHATE TANK REQUIREMENTS

Background:

The Department has determined that the leachate tank, associated with the landfill and integral to the landfill's leachate collection system, is managed as a conditionally exempt generator tank. However, DEQ determines, that to protect human health and the environment, the tank must be operated, maintained and inspected to control landfill leachate. DEQ is using the omnibus authority at 40 CFR 270.32(b)(2) to maintain the current inspection and maintenance requirements currently employed by the Permittee. Other 40 CFR Subpart J tank regulations were considered, for example daily inspection, but DEQ determined that the current program is adequate.

The tank is located below ground level in a building called the leachate transfer building. The building itself is not regulated. The tank is double-walled and is located in a concrete vault that provides for secondary containment. There is a high-level alarm along with an alarm that can detect a leak from the tank's primary liner. There is a lamp above the tank opening that provides lighting and heat.

Therefore:

- V.E.1. The Permittee will inspect the leachate tank ~~and its secondary containment system~~ in accordance with Attachment A of this Permit. [40 CFR 264.195]
- V.E.2. The Permittee will maintain the tank system to minimize releases into the environment.
- V.E.3. The Permittee will maintain the tank's secondary containment system.
- V.E.4. The Permittee shall not place other wastes or treatment reagents in the tank system if they could cause the tank, its ancillary equipment, or a containment system to rupture, leak, corrode, or otherwise fail. [40 CFR 264.194(a)]
- V.E.5. In the event of a leak or a spill, the Permittee will comply with 40 CFR 264.196 (a) through (f).
- V.E.6. The Permittee may use a lamp at the opening of the leachate tank to provide lighting and heat.

Legal Name	Common Name	Areal Extent (acres)	Description
			enough accumulated leachate has accrued, the leachate is pumped and routed and ultimately discharged through the Northwest Aluminum NPDES permitted outfall. There is approximately a .5 acre asphalt covered containment area that would contain a leak from the CERCLA tank.
Scrubber Sludge Ponds 4	Scrubber Sludge Ponds	22.42	Formerly used as waste water holding ponds (from water used at air pollution control units). Currently an unused fenced-off area containing no holding waters. In the footprint of the ponds, CERCLA remediation included placing two feet of soil on top of sludge <u>soils remaining after sludges were excavated</u> . This soil also provides a vegetative cover. Outside the footprint of the ponds, but within the fenced area, soil, bedrock, an abandoned corral and trees are present.

Corrective action at this site also falls under federal CERCLA authority and possible remediation. It is not uncommon to have State Authorities and CERCLA share their authority at one location, as it does at Lockheed Martin.

DEQ issues this Permit to include having its hazardous waste program enforce operation and maintenance activities at the CERCLA units. This Permit also directs the Permittee, if necessary, to initiate and conduct any future remediation efforts in accordance with Oregon Cleanup rules and regulations. At the time of Permit issuance, it is understood that remediation, if needed, could also involve (joint) CERCLA involvement, as stated above.

EPA Region 10 and DEQ developed a Memorandum of Agreement signed by EPA on May 27, 2004. This agreement states that DEQ will be the primary contact for both CERCLA and RCRA operations and that most changes to CERCLA operations will be enacted by RCRA permit modifications. However, the CERCLA consent decree co-exists with the RCRA permit and MOA and is still in effect and EPA Region 10 maintains its legal rights and responsibilities.

Section VI of this Permit can address required corrective action associated with the hazardous waste landfill. If the Department receives new information and concludes that the hazardous waste landfill poses a threat to human health and the environment, the authority under this section and 40 CFR 270.32(b)(2) would be used to address the risk posed to human health and the environment.

This section of the Permit also addresses newly identified SWMUs. For instance, if drums of hazardous substances were found by chance on Lockheed Martin property, these would be newly identified SWMUs which require notification and corrective action under this section of this Permit, and potential remediation under State Cleanup authority.

ENCLOSURE C

ARCADIS MEMORANDUM ESTABLISHING UPPER PREDICTION LIMITS DATED APRIL 10, 2012